

(FINAL/APPROVED 12-16-09)

**VIRGINIA BOARD OF PHARMACY
MINUTES OF SPECIAL CONFERENCE COMMITTEE**

Tuesday, November 10, 2009
Commonwealth Conference Center
Second Floor
Training Room 2

Department of Health Professions
Perimeter Center
9960 Mayland Drive
Richmond, Virginia 23233

Orders/Consent Orders referred to in these minutes are available upon request

CALL TO ORDER:	A meeting of a Special Conference Committee of the Board of Pharmacy was called to order at 10:00 a.m.
PRESIDING:	Dave Kozera, Committee Chair
MEMBERS PRESENT:	John Beckner, Committee Member
STAFF PRESENT:	Cathy M. Reiniers-Day, Deputy Executive Director Mykl D. Egan, DHP Adjudication Specialist
KELLY TAYLOR, III Pharmacist Applicant	Kelly Taylor appeared to discuss his application for licensure as a pharmacist and allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the November 2, 2009, Notice.
Closed Meeting:	Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A.(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Kelly Taylor. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.
Reconvene:	Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.
Decision:	Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to approve Mr. Taylor's application for a pharmacist license contingent upon his complying with certain terms and conditions.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Taylor, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Taylor within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

ANDREW NORRIS
License No. 0202-006294

Andrew Norris appeared to discuss allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 15, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Andrew Norris. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to serve an Order to reprimand Mr. Norris, impose a monetary penalty and require him to complete additional continuing pharmacy education hours.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Norris, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Norris within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee shall be vacated.

DOROTHY ELLINGTON
Registration No. 0230-012221

Dorothy Ellington did not appear at the informal conference. The committee chose to proceed in her absence as the Notice was mailed to Ms. Ellington's legal address of record. The committee discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the October 15, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Dorothy Ellington. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer Ms. Ellington a Consent Order for the revocation of her pharmacy technician registration. Additionally, they requested that a Notice for a formal hearing be mailed to Ms. Quintanilla with the Consent Order.

MICHELLE ROMATOWSKI
Registration No. 0230-010789

Michelle Romatowski did not appear at the informal conference. The committee chose to proceed in her absence as the Notice was mailed to Ms. Romatowski's legal address of record. The committee discussed that she may have violated certain laws and regulations governing the practice of pharmacy technicians as stated in the October 15, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code"), for the purpose of deliberation to reach a decision in the matter of Michelle Romatowski. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to offer Ms. Romatowski a Consent Order for the revocation of her pharmacy technician registration. Additionally, they requested that a Notice for a formal hearing be mailed to Ms. Romatowski with the Consent Order.

NICHOLAS ARDUIN
License No. 0202-206213
Nicholas Arduin appeared with Johnathon Venzie, his attorney, to discuss the allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the October 15, 2009, Notice.

Closed Meeting: Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia ("Code"), for the purpose of deliberation to reach a decision in the matter of Nicholas Arduin. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene: Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision: Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue an Order requiring Mr. Arduin to comply with his contract with the Health Practitioner's Monitoring Program.

As provided by law, this decision shall become a final Order thirty (30) days after service of such Order on Mr. Arduin, unless a written request is made to the Board requesting a formal hearing on the allegations made against him is received from Mr. Arduin within such time. If service of the Order is made by mail, three (3) additional days shall be added to that period. Upon such timely request for a formal hearing, the decision of this Special Conference Committee

shall be vacated.

JAMES MITCHELL
License No. 0202-006713

James Mitchell appeared with Stephen Forbes, his attorney, to discuss the allegations that he may have violated certain laws and regulations governing the practice of pharmacy as stated in the May 4, 2009, Notice.

Closed Meeting:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee unanimously voted to convene a closed meeting pursuant to § 2.2-3711.A(28) of the Code of Virginia, ("Code") for the purpose of deliberation to reach a decision in the matter of James Mitchell. Additionally, he moved that Cathy Reiniers-Day and Mykl Egan attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Committee in its deliberations.

Reconvene:

Having certified that the matters discussed in the preceding closed meeting met the requirements of § 2.2-3712 of the Code, the Committee re-convened in open meeting and announced the decision.

Decision:

Upon a motion by Mr. Beckner, and duly seconded by Mr. Kozera, the Committee made certain Findings of Facts and Conclusions of Law and unanimously voted to issue an Order to reprimand Mr. Mitchell and impose a monetary penalty.

ADJOURN:

With all business concluded, the meeting adjourned at 5:45 p.m.

Cathy M. Reiniers-Day
Deputy Executive Director

David C. Kozera, Chair

Date